

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN E. ANDRUS MEMORIAL, INC.
(d/b/a ANDRUS ON HUDSON),

Plaintiff,

Civil Action No. 07 CV. 3432 (CLB) (MDF)

— vs —

RICHARD F. DAINES, as Commissioner of the New York
State Department of Health,

Defendant,

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:

I Jonathan A Messinger being duly sworn, deposes and says; I am over 18 years of age, not a party to this action, and reside in the State of New York. That on the 23RD day of **APRIL, 2008** at 2:57 PM I served a true copy of the

ORDER TO SHOW CAUSE FOR INJUNCTIVE RELIEF WITH TEMPORARY RESTRAINING ORDER upon

JOHN GASIOR, ESQ, ASSISTANT ATTORNEY GENERAL. delivering to, and leaving a true copy thereof at their offices, located at

OFFICE OF THE ATTORNEY GENERAL OF THE STATE OF NEW YORK
120 BROADWAY
24TH FLOOR
NEW YORK, NY 10271

with **WILHELMINA HOUSTON, KEYBOARD SPECIALIST** personally, who at the time of service stated she was authorized to accept service on behalf of the **NEW YORK STATE ATTORNEY GENERAL'S OFFICE**.

Deponent describes the person served as aforesaid to the best of deponent's ability at the time and circumstances of the service as follows.

SEX: FEMALE SKIN: BLACK HAIR: BLACK
APP.AGE: 40 APP. HT: 5'4" APP. WT: 140

Sworn to before me
This 24 day of April 2008

DAVID MOURA JR.
NOTARY PUBLIC, State of New York
No. 614024486
Qualified in Stark County
Commission Expires October 5, 2008

2010

Jonathan A Messinger
lic # 1136390